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## Local Government Committee

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### HB 2814

**Brief Description:** Concerning schedules for the review of comprehensive plans and development regulations.

**Sponsors:** Representatives Simpson, Schindler, Springer and Lantz; by request of Department of Community, Trade, and Economic Development.

#### Brief Summary of Bill

- Allows counties and cities meeting specific population requirements to satisfy certain review and revision requirements of the Growth Management Act three years after applicable statutory deadlines.
- Expands an extension provision allowing qualifying jurisdictions to comply with review and revision requirements for development regulations that protect critical areas one year after applicable deadlines.

**Hearing Date:** 1/26/06

**Staff:** Ethan Moreno (786-7386).

#### **Background:**

##### Growth Management Act

Enacted in 1990 and 1991, the Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. The GMA specifies numerous provisions for jurisdictions fully planning under the Act (planning jurisdictions) and establishes a reduced number of compliance requirements for all local governments.

Planning jurisdictions must adopt internally consistent comprehensive land use plans (comprehensive plans), which are generalized, coordinated land use policy statements of the governing body. Planning jurisdictions also must adopt development regulations that are consistent with and implement the comprehensive plan.

The GMA requires all jurisdictions to satisfy specific designation and protection mandates. All local governments must designate and protect critical areas. Critical areas are defined by statute to include wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas.

Comprehensive plans and development regulations are subject to continuing review and evaluation by the adopting county or city. Except as otherwise provided, planning jurisdictions must review and, if needed, revise their comprehensive plans and development regulations according to a recurring seven-year statutory schedule. Jurisdictions that do not fully plan under the GMA must, except as otherwise provided, satisfy requirements pertaining to critical areas and natural resource lands according to this same schedule. The schedule is as follows:

- on or before December 1, 2004, and every seven years thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and the cities within those counties;
- on or before December 1, 2005, and every seven years thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and Skamania counties and the cities within those counties;
- on or before December 1, 2006, and every seven years thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and Yakima counties and the cities within those counties; and
- on or before December 1, 2007, and every seven years thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities within those counties.

Counties and cities required to satisfy the review and revision requirements by December 1, 2005, December 1, 2006, or December 1, 2007, may comply with the requirements for development regulations that protect critical areas one year after the applicable deadline.

### **Summary of Bill:**

A qualifying county that is required to comply with the review and revision schedule of the GMA by December 1, 2005, December 1, 2006, or December 1, 2007, and every seven years thereafter, may satisfy the review and revision requirements of the act for comprehensive plans and development regulations, excepting those protecting critical areas, at any time prior to three years after the applicable statutory deadline. A county exercising this extension must have:

- a population of less than 50,000; and
- had a population increase of 17 percent or less in the 10 years preceding the statutory deadline.

Applying the extension scheme to cities, a qualifying city that is required to comply with the review and revision schedule of the GMA by December 1, 2005, December 1, 2006, or December 1, 2007, and every seven years thereafter, may satisfy the review and revision requirements of the act for comprehensive plans and development regulations, excepting those protecting critical areas, at any time prior to three years after the applicable statutory deadline. A city exercising this extension must have:

- a population of less than 100; or
- a population greater than 100 and less than 5,000 and had a population increase of 17 percent or less in the 10 years preceding the statutory deadline.

Eligibility criteria for the extensions is determined using the jurisdiction's population as of the date of its statutory deadline.

Jurisdictions exercising the extension option and complying with related requirements three years after the applicable statutory deadline must be deemed in compliance with the review and revision requirements of the GMA.

An extension provision allowing jurisdictions subject to 2005, 2006, and 2007 review and revision deadlines to comply with requirements for development regulations that protect critical areas one year after the applicable deadline is expanded to apply in perpetuity to the same jurisdictions.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.